

NORTH LINCOLNSHIRE COUNCIL
LICENSING (ACTIVITIES) SUB-COMMITTEE

26 October 2023

PRESENT: - Councillors K Vickers, M Armiger and H Rayner.

The meeting was held in the Conference Room, Church Square House.

2009 **APPOINTMENT OF CHAIRMAN – Resolved** – That Councillor K Vickers be and he was hereby appointed chairman for the meeting.

2010 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS, PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS, AND SIGNIFICANT CONTACT WITH APPLICANTS, OBJECTORS OR THIRD PARTIES (LOBBYING), IF ANY** – Councillor H Rayner declared a personal interest in Minute 1989 as she was an acquaintance of the applicants mother.

2011 **APPLICATION TO GRANT A PREMISES LICENCE FOR THE PAINT SHOP, 253-255 ASHBY HIGH STREET, SCUNTHORPE, DN16 2SD** – The Director: Communities submitted a report advising members of an application for the grant of a premises licence at The Paint Shop, 253-255 Ashby High Street, Scunthorpe, DN16 2SD. Details of the application were outlined in the report, together with the application for the grant of a premises licence and representations received from Humberside Fire and Rescue Service, the council's Environmental Protection division, Humberside Police and six representations received from residents.

The Director, in her report, reminded the sub-committee that the options available to it under the Licensing Act 2003 when considering such applications were:

- To refuse to grant the licence.
- To grant the licence with additional conditions
- To grant the licence without additional conditions.
- To grant the licence but restrict the licensable activities.
- To grant the licence with restricted times.

The applicant and two local residents addressed the sub-committee and responded to questions.

Following clarification on matters raised by the council's Licensing Officer and the summary of each case, the meeting was adjourned for deliberation by members, with the sub-committee decision communicated to all parties in writing, stating the following decision –

Resolved – The Licensing (Activities) Sub-Committee carefully considered all the information contained within the agenda bundle as well as the representations made by the applicant at the hearing and the interested

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parties, taking into account the statutory guidance under section 182 of the Licensing Act 2003 and the Council's Licensing Policy. The Sub-Committee agreed that the premises licence be granted as applied for subject to the inclusion of the following conditions:

1. That all the conditions proposed by the applicant, listed in the agenda documentation between sections 7 and 11 be incorporated within the premises licence.
2. Staff training shall be given to all staff authorised to sell alcohol at the premises. Such training shall be documented and recorded in a book/folder kept solely for that purpose. It shall record the date and names of those trained and the person providing it. All present shall sign the book. The frequency of the training shall be on initial employment and annually thereafter. The training shall cover all aspects of the responsible sale of alcohol - Licensing objectives, age verification, how to detect proxy sales, consequences of underage sales, serving to drunks and conflict management. The book will be available to be viewed on demand by a person under the direction and control of the Chief Constable or an Authorised Officer of North Lincolnshire Council.
3. CCTV to be installed at the premises, specifically -
 - a) Warning signs shall be displayed stating CCTV is in operation at the premises.
 - b) There shall be cameras to cover those areas that are not easily supervised from the bar including outside areas where it is intended to conduct licensable activities.
 - c) A monitor shall be placed in such a position so as to be viewed by staff working in the sales area of the premises.
 - d) The system must be capable of continuously recording in colour, providing real time pictures of evidential quality in all lighting conditions, and copies of such recordings shall be retained for a period of not less than 28 days.
 - e) Any system installed shall be capable of producing copies of recordings on site.
 - f) Copies of recordings shall be provided on request to a person under the direction and control of the Chief Constable or an Authorised Officer of North Lincolnshire Council on DVD/USB at no cost.
 - g) The Designated Premises Supervisor (DPS) shall be responsible for the operation of the system and shall ensure that it is maintained.
 - h) The Premises Licence Holder shall ensure an appointed member of staff is capable of downloading CCTV footage in a recordable format at all times the premises are operating.
 - i) Records of maintenance of the CCTV system shall be kept by the person responsible and the system shall be maintained in working order and checked weekly. Records of any maintenance/weekly checks shall be endorsed by signature by the DPS or other responsible named individual, and actions taken must be recorded. The record shall be produced on request to a person under

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the direction and control of the Chief Constable or an Authorised Officer of North Lincolnshire Council on production of their identification.

- j) Camera(s) will be sited to cover all entrances. Cameras must be positioned to view all access to and egress from the premises (including fire exits) and all areas where the sale of alcohol occurs.
 - k) Recordings must be made of each trading period conducted at the premises, and must be correctly time and date marked.
 - l) CCTV camera views are not to be obstructed.
4. An incident log shall be kept at the premises, and made available on request to a person under the direction and control of the Chief Constable or an Authorised Officer of North Lincolnshire Council, which will record the following:
- a) all crimes reported to the venue
 - b) all ejections of patrons
 - c) any complaints received
 - d) any incidents of disorder
 - e) any refusal of the sale of alcohol
 - f) any visit by a relevant authority or emergency service
 - g) any faults in the CCTV system
5. A thorough risk assessment will be completed for the use of Polycarbonate or crushable glassware and decanting of all bottles. Polycarbonate or crushable glassware will also be used upon the request of Humberside Police or the Local Authority.
6. Polycarbonate or crushable glassware and decanting of all bottles upon request by Humberside Police or Local Authority for specific events
7. Challenge 25 shall be implemented, and a proof of age policy is to be applied with the accepted means of proof of age being:
- a) Passport
 - b) Photo Driving Licence
 - c) A recognised valid photo-id card bearing the PASS hologram
 - d) any future accredited and accepted proof of age
8. Signs shall be displayed stating that the premises operates a Challenge 25 Policy.

This is to adhere to the prevention of crime and disorder, public safety and protection of children from harm licensing objectives.

The aforementioned conditions will ensure the safety of patrons visiting the premises as well as protecting the amenities of local residents.

9. The Licence Holder or his representative shall conduct regular assessments of the noise coming from the premises on every occasion

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the premises is used for regulated entertainment and shall take steps to reduce the level of noise where it is likely to cause disturbance to local residents. A written record shall be made of those assessments in a logbook kept for that purpose and shall include the time and date of the checks, the name of the person making them, and the results indicating any remedial action. This record shall be made available upon request by an authorised officer of North Lincolnshire Council and Humberside Police.

10. There shall be placed at all exits from the premises in a place where they can be seen and easily read by the public, (or member and their guests) notices requiring customers to leave the premises and the area quietly.

This is to adhere to the prevention of a public nuisance licensing objective.

The conditions shall ensure minimal disruption to the amenities of local residents.

11. That an SIA registered door supervisor be employed at the premises on Fridays and Saturdays when the premises is open to the public between the hours of 21:00 hours to 24:00 hours. This includes Non-Standard Timings (Licence to cover from 21:00 hours on 31st December until 01:00 hours on 1st January).

This is to adhere to the prevention of crime and disorder, public safety and protection of children from harm licensing objectives.

This condition will ensure the safety of patrons visiting the premises as well as protecting the amenities of local residents.

12. That all windows and doors of the premises be kept closed between the hours of 19:00 hours and 24:00 hours, except in the event of an emergency and for access and egress.

This is to adhere to prevention of public nuisance licensing objective. This condition shall ensure minimal disruption to the amenities of local residents.

13. That all exterior windows and doors of the premises be maintained in a good state of repair and working order and any external facing windows shall be covered to block light and visibility to the outside.

This is to adhere to prevention of the prevention of a public nuisance licensing objective.

This condition shall ensure minimal disruption to the amenities of local residents.

14. That live music (indoors) be allowed on either a Friday or Saturday between the hours 19:00 hours and 23:00 hours with only one live event permissible per month. If live music is scheduled to be held at the

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premises, the applicant shall inform all properties on Lindley Street in writing by giving one weeks' notice. This includes Non-Standard Timings (Licence to cover from 23:01 on 31 December until 01:00 hours on 1st January).

This is to adhere to prevention of a public nuisance licensing objective.

This condition shall ensure minimal disruption to the amenities of local residents.

15. That recorded music indoors be allowed on Monday to Sunday between 10:00 hours to 23:00 hours. This includes Non-Standard Timings (Licence to cover from 22:00 hours on 31st December until 01:00 hours on 1st January).

This is to adhere to the prevention of a public nuisance licensing objective.

This condition shall ensure minimal disruption to the amenities of local residents.

16. That a condition be attached to the premises licence that the sale of alcohol for consumption on the premises only shall be allowed on Monday to Sunday between 10:00 hours to 23:00 hours. This includes Non-Standard Timings (Licence to cover from 22:00 hours on 31st December until 01:00 hours on 1st January).

This is to adhere to the prevention of crime and disorder, public safety and public nuisance licensing objectives. This condition will protect the amenities of local residents by assisting the dispersal of patrons exiting the premises.

17. Whilst this is not a condition, the Sub- Committee respectfully requests that the applicant installs double glazed windows throughout the property which was offered by the applicant as a suitable measure to reduce noise reduction at the premises.*

^{NB} In accordance with Regulation 33 of the Licensing Act 2003 (Hearings) Regulations 2005, the Licensing (Activities) Sub-Committee met on 2 November 2023 to amend the decision to allow clerical mistakes to be corrected by the Local Authority.

2012 **ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT BY REASON OF SPECIAL CIRCUMSTANCES WHICH MUST BE SPECIFIED**
– There was no urgent business for consideration at the meeting.